

LAW OFFICES
WILLIAMS & CONNOLLY LLP
725 TWELFTH STREET, N.W.

KENNETH J. BROWN
(202) 434-5818
kbrown@wc.com

WASHINGTON, D. C. 20005-5901
(202) 434-5000
FAX (202) 434-5029

EDWARD BENNETT WILLIAMS (1920-1988)
PAUL R. CONNOLLY (1922-1978)

August 16, 2019

VIA ECF

The Honorable Henry Pitman
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

**Re: *Coventry Capital US LLC v. EEA Life Settlements, Inc., et al.*,
Civil Action No. 1:17-cv-07417-VM-HBP**

Dear Judge Pitman:

I write on behalf of Plaintiff Coventry Capital US LLC (“Coventry”) and Defendants EEA Life Settlements, Inc. (“EEA, Inc.”), Vincent Piscaer, and Hiren Patel to jointly and respectfully request an extension of the schedule in this matter.

On February 14, 2019, Coventry sought a four-month extension of the then-existing deadlines in this case, explaining:

On January 24, 2019, the Court denied Coventry’s motions (1) for sanctions against Defendants Vincent Piscaer and Hiren Patel, and (2) to compel Defendant EEA Life Settlements, Inc. to produce documents within its possession, custody, or control. *See* Dkt. No. 111. On February 7, 2019, Coventry filed its objections to the Court’s order with Judge Marrero, Dkt. No. 121, whose ruling on those objections will resolve key issues regarding the scope of discovery. This ruling necessarily will affect the other, fast-approaching discovery deadlines in this case. If these objections are sustained, an extension of approximately four months will be needed for (1) the Defendants to produce additional documents, and (2) the parties to subsequently complete deposition discovery.

If the objections are overruled, Coventry may pursue relief under the Hague Convention, as the Court suggested in its Order. *See* Dkt. No. 111 at 17, 19. Coventry

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properly “employ[ed] Rule 34 without first resorting to the Hague Convention,” *In re Flag Telecom Holdings, Ltd. Sec. Litig.*, 236 F.R.D. 177, 182 (S.D.N.Y. 2006) (internal quotation marks omitted), because the Hague Convention’s process is arduous and rarely yields the same relief as Rule 34. *See, e.g., Laydon v. Mizuho Bank, Ltd.*, 183 F. Supp. 3d 409, 422 (S.D.N.Y. 2016). As the Court also noted, that process “can be time consuming.” Dkt. No. 111 at 17. Accordingly, if Coventry does seek relief under the Hague Convention, it may be necessary to consider a further extension. Coventry believes, however, that the appropriate course is to consider that issue only if and when it becomes necessary to do so.

Dkt. No. 123 (Letter from K. Brown to Hon. Pitman) at 1–2. Defendants did not oppose this extension, and the Court “so-ordered” it the day it was submitted. *See* Dkt. No. 124 (Feb. 14, 2019 Order) at 2.

Three months later, on May 15, 2019, Coventry and EEA, Inc. sought another three-month extension of the then-existing case deadlines, explaining that “[t]he circumstances that led to this extension have not changed in the three months since February 14, as Coventry’s objections remain pending before Judge Marrero.” Dkt. No. 130 (Letter from K. Brown to Hon. Pitman) at 2. The Court entered that extension as well. *See* Dkt. No. 132 (May 20, 2019 Order).

During the July 19, 2019 discovery conference, counsel for Coventry noted for the Court that the circumstances of the case still had not changed, and relayed the parties’ plan to propose a further extension upon the earlier of (a) receiving a decision from Judge Marrero, or (b) mid-August. Approximately one month has passed, and Coventry’s objections remain pending before Judge Marrero. Meanwhile, Coventry has submitted Hague Convention requests to the Court, per the Court’s order following the July 19 conference. *See* Dkt. No. 138 (July 19, 2019 Order). Because the circumstances that led the parties to seek the previous extensions remain largely the same, the parties respectfully request a four-month extension of the existing case deadlines. The parties jointly propose the following schedule:

Event	Current Date¹	Proposed Date
Requests for Admission to be served	September 16, 2019	January 16, 2020
Close of fact discovery	October 16, 2019	February 17, 2020
Expert reports due (for party bearing the burden of proof)	November 25, 2019	March 25, 2020
Rebuttal expert reports	December 23, 2019	April 23, 2020
Close of expert discovery	January 31, 2020	June 1, 2020
Deadline for parties to attend settlement conference	February 14, 2020	June 15, 2020

Finally, the parties recognize that a further extension to the case schedule may be necessary depending upon (a) the timing of Judge Marrero’s ruling on Coventry’s objections, and (b) the amount of time it takes to process and resolve Coventry’s requests under the Hague Convention.

¹ *See* Dkt. No. 132 (May 20, 2019 Order).

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The parties believe, however, that the appropriate course is to consider those issues only if and when it becomes necessary to do so.

We appreciate your attention to these matters and will be prepared to address them further, if helpful, at the Court's convenience.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kenneth J. Brown". The signature is written in a cursive style with a large, stylized "K" and "B".

Kenneth J. Brown

cc: Counsel of Record